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**FACSIMILE COVER SHEET**

**TO:** Examiner Ruddock - United States Patent and Trademark Office

**CLIENT NAME/NUMBER:** CMI - 64908

**TELEPHONE:** 703-305-0066

**FAX NO:** 703-872-9447

**FROM:** Paul J. Ditmyer

**DATE:** August 13, 2003

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**COMMENTS/INSTRUCTIONS:**

In reference to U.S. Patent Application Serial No. 09/680,721. Please see attached Response to Notice of Non-Compliant Amendment in reply to the Examiner's Notice of Non-Compliant Amendment of August 8, 2003.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
GREGG ET AL. )  
Serial No. 09/680,721 ) Examiner: U. RUDDOCK  
Filing Date: OCTOBER 6, 2000 ) Art Unit: 1771  
For: BACKERBOARD SHEET INCLUDING ) Attorney Docket No. 64908  
AERATED CONCRETE ) Telefacsimile No. 703-872-9447

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TC 1700

Sir:

Responsive to the Notice of August 8, 2003, attached hereto is a copy of the claims section of the July 24, 2003 Amendment in accordance with 37 C.F.R. §1.121(h).

Respectfully submitted,

  
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I HEREBY CERTIFY that the foregoing correspondence has been forwarded via facsimile number 703-872-9447 to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 13<sup>th</sup> day of August, 2003.

